



only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

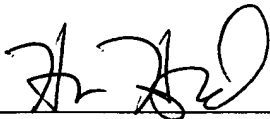
- (a) expires for failure to pay a maintenance fee;
- (b) is held unenforceable;
- (c) is found invalid by a court of competent jurisdiction;
- (d) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- (e) has all claims canceled by a reexamination certificate;
- (f) is reissued; or
- (g) is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

**PATENT**

This terminal disclaimer is made by the undersigned  
attorney of record.

Respectfully Submitted,

Date: 3/28/05

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